

REMARKS

This Amendment, filed in reply to the Office Action dated April 17, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-13 and 15-24 are all the claims pending in the application.

The undersigned gratefully acknowledges the courtesies extended by the Examiner in the Interview of July 14, 2008. This filing includes a summary of the interview, which included a discussion of independent claims 1 and 6 in view of the cited art of Winter, Garfinkle and Sevcik. The undersigned discussed traversal of the rejection as follows, which the Examiner would take under full consideration upon filing of an amendment. Applicant respectfully traverses the rejection below.

I. Claim Rejections under 35 U.S.C. § 103

Claims 1-13 and 15-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Winter et al. (U.S. Patent No. 6,744,529) alone or further in view of Sevcik et al. (U.S. Patent No. 6,330,542).

Claim 15 is also rejected under 35 U.S.C. § 103(a) as being unpatentable over Winter et al. and/or Sevcik et al. as applied to claims 6-9 and 12 above, and further in view of Cone et al. (U.S. Publication No. 2001/0054988) or Narayanaswamy et al. (U.S. Patent No. 6,144,358).

Claims 6-9, 11-13, and 15 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Garfinkle et al. (U.S. Patent No. 6,017,157) and Sevcik et al.

Claim 15 is also rejected under 35 U.S.C. § 103(a) as being unpatentable over Garfinkle et al. and/or Sevcik et al. as applied to claims 6-9 and 12 above, and further in view of Cone et al. or Narayanaswamy et al.

Applicant respectfully submits that the independent claims are patentable because none of the cited art teach “an order acceptable means for accepting digital image data and order information and for transferring the image data and the order information to an image printer” as described in amended independent claim 1, and analogously in independent claims 6, 10 and 11.

Claims 1 and 10 also describe that the voucher printer and the image printer are separate.

The Examiner cites each of the primary references Winter and Garfinkle for teaching the order acceptance means of the claims. Applicant submits that the rejections are improper for the following reasons.

Winter relates to a printer which is able to generate a combination proof sheet/order form. The proof sheet/order form, as illustrated in Fig. 3A, includes thumbnails I and a bubble area B associated with each image I to order image I. Col. 5, lines 33-60. A user orders information by filling in the appropriate bubble spaces underneath the thumbnail. The sheet becomes scanned by the printer, which outputs prints according to the bubbled in order form. In order to create the proof sheet/order form in the first instance, it is clear that the image data had to have been previously and separately sent to the printer. This is done through a transmission of data information from a camera or from reading the image data from a memory device from the camera. See col. 4, lines 6-19; col. 2, lines 36-55. In order for the printer to be able to print information from the proof/order sheet, the same printer had to have received the same images on a prior occasion. Col. 5, line 61 to col. 6, line 11.

First, the Examiner incorrectly contends that there are two printers. However, as discussed above, it is clear that there is only a single printer that receives the image data and prints any proof sheets/order forms from receipt of such image data. If there were separate printers, the printer receiving the order from scanning of the scanned images would not have the

image data corresponding to that order form. Thus, it is clear that the Examiner's rejection is completely without support. To the extent that Winter teaches different printer types, each printer becomes alternatively substituted for the single printer, but there can be no separate printers in Winter without significant and unnecessary duplication in effort and resources. The separate printers would render Winter inoperable for its intended purpose. Therefore, Winter cannot explicitly include the two printers and cannot be modified to include two printers.

Second, Winter lacks a means for accepting image order information and image data that then transfers the image data to a printer. To the extent that a printer of Winter can accept the image data and the order information, the image data is not then again transferred to a printer, as the image data is already resident in the printer. To the extent that a memory can receive the image data from a memory card of a camera, that memory does not also receive the order information. There is no explicit and no inherent teaching of the order acceptance system that includes all the features of claim 1. The Examiner's general reliance on Fig. 1, 4 and 7 of Winter is insufficient to meet the features of the claims. Therefore, claim 1 is patentable, and claim 10 is patentable based on analogous recitations.

Furthermore, claims 6 and 11 also include features regarding the transfer or receipt of the image data and order information together, and thus are patentable for the second reason discussed above in relation to Winter.

The rejection over Garfinkle is similarly deficient. Garfinkle relates to a distributed image ordering system such that an image uploaded at location A can be separately accessed, or ordered, at location B. Col. 4, lines 57-67 and Abstract.

The Examiner contends that Figs. 1, 6 and 8 teach all features of claim 6. However, a review of Fig. 1 and supporting text shows that an image upload location A, and a separately

formed access (order) point B. Therefore, there is no location which receives both the image data and the order information because A and B are separate locations. Therefore, the Examiner's general reliance on Garfinkle does not support the rejections. Claim 11 is patentable for analogous reasons, and the remaining claims are patentable based on their dependencies.

It is further noted that the additional references of Sevcik, Cone and Narayanaswamy do not make up for any of the deficiencies of the primary references.

Applicant adds claims 19-24 to describe features of the invention more particularly.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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